



TOWN OF LOOMIS
ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD
LOOMIS, CA 95650

TUESDAY **FEBRUARY 10, 2009** **7:00 P.M.**

CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR.** Pursuant to Section 54956.9 of the Government Code:
Property:
- APN 043-014-019 Portion of Town owned corporation yard property to be sold to Loomis Union School District
- APN 044-010-001 Commercial property at 3640 Taylor Road (corner Taylor and Horseshoe Bar Road)
Negotiator: Perry Beck, Town Manager
Under Negotiation: price and term
- b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision Section 54956.9:
- Rocklin Lowes: Case #S CV 23598 Town of Loomis v City of Rocklin et al & Del Paso El Camino, LLC et al
- Rocklin Crossing: Case #S CV 24099 Town of Loomis v City of Rocklin et al & Rocklin Crossings LLC et al

TUESDAY **FEBRUARY 10, 2009** **7:30 P.M.**

CALL TO ORDER

Call to order by Mayor Scherer at 7:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Scherer
Councilmember Kelley
Councilmember Liss
Councilmember Morillas
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.
b. No action taken.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following:

- thanked Public Works for the bus stop covers
- noted the bus stop by Circle Drive does not have seating in it
- complimented the local restaurants that were involved with the Penryn fund raiser this past weekend

Councilmember Liss stated the following:

- he will be on the Jerry Lions show tomorrow night at 6:30 p.m.
- he will be talking about the downtown area and Earth Day
- on February 16, 2009 at 6 p.m. there will be an Earth Day meeting at the Depot

Councilmember Kelley stated the following:

- asked staff to look into putting the Town events on the "townplanner.com" for the Loomis area
- it doesn't cost anything and connects with the surrounding communities
- suggested putting a link on the Town's website

Mayor Scherer stated the following:

- On February 27, 2009 at the Blue Goose there will be a fund raiser for a Community Aquatics Complex
- the fund raiser is for a senior project and the tickets are available for \$30 from Elizabeth Scherer

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.

Jan Shellito, 6655 Wells Avenue, stated the following:

- she was asked to be on the Park and Open Space Commission (POSC)
- she had no personal agenda and just wanted to help in the community
- she is disappointed in how the transition took place in dissolving the POSC with little regard to the Commissioners
- she found out through an email and another Commissioner found out through the Loomis News
- this was disappointing, disrespectful and unappreciated
- in getting to know the Town staff she has observed that they are highly professional and encouraged the Council to utilize the staff and use them as a resource

Vic Markey, 3254 Taylor Road, stated the following:

- he is concerned about a new project on Taylor Road
- it is a car re-manufacturing business in a General Commercial zone
- this kind of business should be in a Light Industrial area
- this site is at the entrance coming into Loomis by Del Oro High School
- questioned what could be done about this

Denise Swenson, 5900 Horseshoe Bar Road, stated the following:

- she has lived in Loomis for 5 years and is involved at Del Oro High School
- there has been no open swimming in the community over the last few years
- she has been corresponding with the school district and found out their requirements for running the pool for lessons and open swimming
- she would be happy to donate her time to manage it
- asked Council to put this item on the next agenda to discuss ways to assist in this or partner with the school district

Council agreed to have this item put on the next agenda for discussion.

Nancy Beck, 6304 David Avenue, stated the following:

- thanked Council for their prompt and caring action on the traffic calming on King Road
- she worked for 10 years at the Del Oro pool
- they had a hard time finding students that would be willing to get certified in order to help manage the pool and be a life guard
- she would like to see the swimming program started again

Ben Emert stated the following:

- he worked at the swimming pool before and would be willing to work there again
- he will do whatever he can to get the swimming pool open to the community

ADOPTION OF AGENDA

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda pulling items 7, 10, and 17 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

- | | |
|--|---|
| 1. Council Minutes – 1/13/09 | <i>APPROVE</i> |
| 2. Monthly Check Register – January | <i>RECEIVE AND FILE</i> |
| 3. Statement of Activity | <i>RECEIVE AND FILE</i> |
| 4. Treasurer's Report | <i>RECEIVE AND FILE</i> |
| 5. Planning Status Report | <i>RECEIVE AND FILE</i> |
| 6. 2008/09 Projects Update | <i>RECEIVE AND FILE</i> |
| 8. Mayor's Committee Assignments For 2009 | <i>APPROVE</i> |
| 9. A Resolution of The Council of The Town of Loomis Approving Wage and Benefit Changes With the Loomis Diversified Employees Group and With the Loomis Public Works Employee's Bargaining Unit (Operating Engineers, Stationary Local No. 39) | <i>ADOPT RESOLUTION</i>
Resolution 09-03 |
| 11. Schedule Downtown Business Workshop On February 23, 2009 | <i>APPROVE</i> |
| 12. A Resolution of The Council of The Town of Loomis Authorizing the Town Manager to Accept the Additional Street Right-of-Way On Diaz Lane Associated With Property Owner John Weller and Authorizing Staff to File the Dedication Documents With the Placer County Recorders Office | <i>ADOPT RESOLUTION</i>
Resolution 09-04 |
| 13. A Resolution of The Council of The Town of Loomis Accepting the 2008 Pavement Maintenance Project Improvements Provided by American Engineering & Asphalt, Inc. | <i>ADOPT RESOLUTION</i>
Resolution 09-05 |
| 14. California Integrated Waste Management Board 2005-06 Biennial Review Results | <i>RECEIVE AND FILE</i> |
| 15. A Resolution of The Council of The Town of Loomis Directing Public Works Staff to Construct the Improvements At the Intersection of King Road and Day Avenue/Sherwood Court to Provide a Left-Turn Pocket to Accommodate Safer Turning Movements into the Residential Streets | <i>ADOPT RESOLUTION</i>
Resolution 09-08 |
| 16. Mid Year Budget Review | <i>APPROVE</i> |

CONSENT ITEMS FORWARDED

7. A Resolution of The Council of The Town of Loomis Approving *ADOPT RESOLUTION*
Revising Development Impact Fees In Specified Amounts

Councilmember Ucovich disagrees with raising the Park Acquisition and Passive Park fees when there has been a decline in land value.

No public comment.

Following further discussion on the matter, a motion was made to table this item until the June Council meeting. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Morillas, Ucovich

Noes: Liss, Scherer

10. Depot Use for Cultural Events

APPROVE

Terry Crouson, retired teacher and Sergeant Major, stated the following:

- he is getting a lot of older and younger people who like to participate in their Bluegrass jams
- he would like to do this for local events
- it is not a money maker but more of a cultural type event

Charlotte Reynolds, owner of Wild Chicken, stated the following:

- these jam sessions have really added to the area and they are free for people to just watch
- the Crousos are very responsible, they clean up afterwards
- she closes early in the winter but in the summer time when her hours are longer they have their jam sessions at the Wild Chicken
- she asked Council to consider letting the Crousos have their jam sessions at the Depot

Council discussion brought up the issue of liability and recommended allowing Crouson's jam sessions be a Town sponsored event..

Following further discussion on the matter, a motion was made to approve the use of the Depot facility for the Crouson's for a Town sponsored event. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

17. A Resolution of The Council of The Town of Loomis
Proclaiming National Arbor Day Observance

ADOPT RESOLUTION

Councilmember Liss pointed out that the Resolution should be revised to note March 14, 2009 for Arbor Day observance.

No public comment.

Following further discussion on the matter, a motion was made to adopt the revised Resolution 09-07, proclaiming National Arbor Day observance on March 14, 2009. On motion by Councilmember Ucovich, seconded by Councilmember Kelley and passed by voice vote.

PUBLIC HEARING

(Note that Council pulled Item 18 to be discussed after Item 21)

18. Discontinue the Park and Open Space Commission

Consider discontinuing the Park and Open Space Commission in favor of creating a Park, Recreation and Open Space Committee

Recommended action: Conduct public hearing; introduce and hold first reading of an ordinance as presented; or as modified by Council to discontinue the Park and Open Space Commission

Public comment:

No public comment.

Councilmember Kelley stated the following:

- the Commission had a better base agenda than the Committee
- the Committee had a different and limited focus
- recreation and agriculture is part of this
- he is not in favor of discontinuing the Park and Open Space Commission

Mayor Scherer pointed out that the Committee will not be managing the recreation program.

Councilmember Ucovich stated he had a concern with people recommending policy that are not residents of Loomis.

Following further discussion on the matter, a motion was made to introduce and hold first reading of Ordinance 240, discontinuing the Park and Open Space Commission and deleting Municipal Code provisions pertaining to that Commission. On motion by Councilmember Ucovich, seconded by Councilmember Liss and passed by the following roll call vote:

Ayes: Liss, Scherer, Ucovich

Noes: Kelley, Morillas

Absent: None

BUSINESS

19. Business Assistance Fund

Consider establishing a fund that can assist in the retention, improvement and recruitment of businesses in Loomis that will help improve Town commerce and the fiscal viability of the community

Recommended action: Approve resolution setting up a business retention, improvement and recruitment fund as presented or as re-formulated by Council

Public comment:

Charlotte Reynolds stated the following:

- the businesses are struggling in downtown and there are a lot of vacancies
- she would like to stay but unsure she will survive this next year
- asked Council to consider improving the aesthetics of the Town
- this fund has the ability to help sustain some of the businesses
- she supports the Business Assistance Fund

A motion was made to approve Resolution 09-08, creating a business retention, improvement, and recruitment fund. On motion by Councilmember Morillas and seconded by Councilmember Liss. No vote was called for at that time. Council discussed and debated changes on the motion.

Councilmember Ucovich questioned if money was allocated for public works projects.

Roger Carroll, Finance Director, stated that this is a fund that defaults for public works at the end of the year.

Mayor Scherer pointed out the following:

- the previous Town Manager, Joan Phillipe, suggested putting our growing reserve into a capital expenditure fund to use for whatever was needed
- we can rename that fund during the budget process

Councilmember Morillas suggested amending the motion to put in an amount of \$500,000 for the Business Assistance Fund. On motion by Councilmember Morillas and seconded by Councilmember Liss. No vote was called for at that time. Council discussed and debated changes on the motion.

Councilmember Kelley pointed out the following:

- there is storm water and road improvement projects that need to be taken care of
- we must build the infrastructure for the Town before we start developing the downtown

Mayor Scherer stated the following:

- this is the Town's discretionary money
- we could have a workshop just on capital improvement programs for public works and it is a real need

Following further discussion on the matter, the amended motion was repeated, to approve Resolution 09-08, creating a business retention, improvement and recruitment fund, transferring \$500,000 from undesignated reserves to a new fund. On motion by Councilmember Morillas, seconded by Councilmember Liss and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich
Noes: None

20. Chamber Request for Downtown Businesses

The Loomis Basin Chamber of Commerce asks that the Town participate in some coordinated Advertising with downtown businesses and do some temporary site improvements on former railroad property in the area from Loomis Depot to Walnut Street behind the businesses in that stretch

Recommended action: Authorize staff to work with the Chamber and downtown businesses, and authorize expenses up to \$10,000 to be paid from reserves

Public comment:

Leslie Griffith, president of the Loomis Basin Chamber of Commerce, stated the following:

- they are looking at having something done behind Nelthorpe's on an interim basis
- suggested a small park along the railroad with walking paths
- suggested along the pathways, having local artists do some sculptures, plaques, or markers with facts on our Town
- this would allow people to walk from shed to shed and would also be used for the festivals and extra parking

Roger Smith stated the following:

- asked if there was a master plan for the area along the railroad
- this should be a high priority
- he likes the idea of a meandering path with plaques on the history

Mayor Scherer stated the following:

- they would like authorization to put in some temporary improvements along the railroad tracks
- he supports authorization of \$10,000 for these temporary improvements

A motion was made to authorize \$10,000 to be paid from reserves. On motion by Councilmember Kelley and seconded by Councilmember Morillas. No vote was called for at that time. Council discussed and debated changes on the motion.

Councilmember Ucovich stated the following:

- he would like to authorize \$2500 for the advertisement for the Chamber of Commerce
- he doesn't agree with designing on a temporary basis
- he is concerned with temporary pavement in the back of the buildings

Councilmember Liss stated the following:

- suggested bringing a plan back to the next Council meeting
- this plan should be consistent with the Calthorpe plan

Councilmember Kelley noted that the drainage will need to be looked at.

Following further discussion on the matter, a motion was made to amend the motion authorizing staff to work with the Chamber and downtown businesses, and authorize expenses up to \$13,000 to be paid from reserves. On motion by Councilmember Kelley, seconded by Councilmember Morillas and passed by the following roll call vote:

Ayes: Kelley, Liss, Morillas, Scherer, Ucovich

Noes: None

21. Establish Park, Recreation and Open Space Committee

At the January meeting Council considered establishing a committee to work on parks, recreation and open space matters

Recommended action: Approve resolution establishing a Park, Recreation and Open Space Committee as presented or as edited by the Council

Public comment:

Vic Markey stated the following:

- he served on the first Open Space Committee when they used green sheets
- environmental issues were put on the green sheets for the developers
- the green sheets have not been used by the Open Space Commission and it is essential for the developers to be aware of the environmental issues

Jeremy Sutter, Legacy Lane, stated the following:

- the committee needs to focus on broader issues
- the decision makers on the committee should be Loomis residents

Roger Smith, 6755 Wells Avenue, stated the following:

- he was surprised to see the word "recreation" in the title of the committee and noted it should be carefully worded and defined
- he would rather see the committee be more of a recommending body for land uses

Councilmember Kelley stated the following:

- we are not going to provide recreation services, we will provide facilities
- various recreation groups (such as softball, soccer, little league, etc.) need to be represented, even though they may not always be a Loomis resident
- we also have a Loomis Basin Park and Recreation that should be part of the meeting
- we should ensure Quimby Act standards for parks and tot lots

Councilmember Ucovich stated the following:

- he worked with about 15 recreation groups in Roseville
- the commission should invite the recreation groups to discuss their needs
- the problem is the turn-over of the leaders in those groups
- it is better to have a commission and let these groups come before them

Councilmember Morillas suggested adding as a goal, "to meet with recreation groups once or twice a year to discuss recreation needs."

Mayor Scherer suggested revising the following:

- suggested adding at the end of the first paragraph in Section 2, "non-residents shall not have a vote on committee matters"
- hold a meeting on unmet local recreation needs at least once a year with organized recreation groups in Loomis
- add item 8 in section 10, to insure parks and tot lots meet Town standards
- section 2, each councilmember shall appoint 1 committee member
- under section 4, add "except the person appointed by an individual Councilmember"

Following further discussion on the matter, a motion was made to approve Resolution 09-09 with the above amendments, establishing an Ad Hoc Park, Recreation and Open Space Committee to assist in work related to the park, recreation and open space needs of the Town, subject to the disbanding of the Park and Open Space Commission. On motion by Councilmember Liss, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Kelley, Liss, Scherer, Ucovich
Noes: Morillas

Recess at 8:55 p.m. to 9:08 p.m.

22. **Multi Modal Facilities Expansion Project**

Consider a Special Meeting to conduct interviews and selection of a consultant to provide engineering, design and environmental services for the Multi Modal Expansion Project

Recommended action: Set a date and time for the Special Meeting

Public comment:

No public comment.

Following further discussion on the matter, the Council consensus was to have a special meeting on March 3, 2009 at 7 p.m. on this matter.

23. **Town Hall Planning**

Determine whether the Town should consider a one story, a two story renovation to the new Town Hall, explore buying the neighboring building, or some combination thereof

Recommended action: Discuss and advise

Public comment:

Continued to February 23, 2009 to an adjourned regular meeting.

24. **Open Space Committee 2 Recommendations Review** (Continued from January 13, 2009) TC 12/9/08

At the February 2008 joint meeting of Planning Commission and Park & Open Space Commission the Council developed work plan goals for the Park & Open Space Commission that included a Council review of recommendations from Open Space Committee 2 to determine which to submit to the Park & Open Space Commission as matters to include in the update of the 1998 Parks and Recreation Master Plan

Recommended action: Consider the next section of Open Space Committee 2 Recommendations and decide what to refer to the Park and Open Space Commission or Committee for inclusion in the update of the 1998 Parks and Recreation Master Plan or what to return to Council for more consideration or what to table.

Public comment:

Continued to February 23, 2009 to an adjourned regular meeting.

25. **Select Rocklin Development Projects Update** (Continued from January 13, 2009) TC 7/8/08

The City of Rocklin has a number of development projects moving along in the area along Sierra College Boulevard and on Del Mar Avenue that could impact Loomis Residents, Roads, and the general quality of the Loomis community.

Recommended action: Review development information and direct the Council sub-committee (Mayor Scherer and Vice Mayor Liss) that has met once with Rocklin, as to any actions the Council would like the Committee and/or Special Legal Counsel and staff to take.

Public comment:

Lisa Pytorak, 4255 Dias Lane, stated the following:

- she would like to see that the businesses are not opened 24 hours a day at the Rocklin Crossing
- there should be no middle of the night deliveries
- traffic should not exit onto Brace Road or Dias Lane at any time
- the traffic mitigations were incomplete
- she would like to see 10 or 15 foot light poles instead of 20 foot light poles
- she would like to see a green belt between Loomis and the subdivision in Rocklin
- the accumulative economic impact must be addressed
- against having a super Walmart (with groceries) that could hurt businesses like Raley's

Council discussed the following to be considered:

- the transition from four lanes on Sierra College, from the Interstate 80 overpass to the other side of McDonalds, and how the merging will occur to two lanes
- concerned with 30 foot lights at Rocklin Crossing
- concerned with a decrease of sales at Raley's when Walmart comes in
- are the creek impacts addressed
- would like to see a timeline for the Rocklin Crossing

26. **Brown Act** (Continued from January 13, 2009)
Consider having a review of the Brown Act
Recommended action: Discuss and direct staff
Public comment:

TC 11/11/08

Continued to February 23, 2009 adjourned regular meeting.

27. **Meeting Records Retention** (Continued from January 13, 2009)
Planning Commissioner, Janet Thew, asked that the Council consider changing the way meetings are archived
Recommended action: Discuss and direct staff
Public comment:

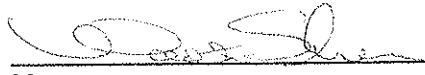
TC 11/11/08

Continued to February 23, 2009 adjourned regular meeting.


COMMITTEE REPORTS

- 28. Placer County Economic Development Commission – Ucovich
- 29. Placer County Flood Control/Water Conservation District – Morillas
- 30. Placer County Transportation Planning Agency – Ucovich/Kelley
- 31. Placer County Mosquito Abatement – Kelley/Ucovich
- 32. Placer County Air Pollution Control District – Ucovich/Morillas
- 33. Sacramento Area Council of Governments – Scherer/Liss
- 34. Placer Land Trust ex-officio representative – Scherer
- 35. Borders Committee – Scherer/Liss
- 36. Business Committee – Scherer/Liss

ADJOURNMENT A motion was made to adjourn at 10:25 p.m. to an adjourned regular meeting on February 23, 2009 at 7:30 p.m.



Mayor



Town Clerk